

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSEPH ROY VIGNEAULT,

Defendant.

CASE NO. 1:23-CR-00194-CRB-BAM
ORDER ON AMENDED STIPULATION
(Doc. 90)

Pending before the Court is the stipulated request of Plaintiff the United States of America and Defendant Joseph Roy Vigneault to (1) continue the preliminary hearing in this matter from June 3, 2025, to June 20, 2025, (2) convert the setting to a “status conference,” and (3) convene for the setting before the duty magistrate judge in Fresno (instead of before the undersigned in Bakersfield). (Doc. 90).

Given counsel for Defendant’s desire to confer with his client and because counsel is located in Fresno, the Court finds good cause to grant the request to reset this matter before the duty magistrate judge in Fresno.

At his initial appearance before the undersigned on May 29, 2025, Defendant was advised of his right under Fed. R. Crim. P. 32.1 to a preliminary hearing. (Doc. 87). Following a detention hearing, the Court ordered Defendant detained. *Id.* Defendant did not waive his right to a preliminary hearing and, accordingly, the Court is required to “promptly conduct” a preliminary hearing. Fed. R. Civ. P. 32.1(b)(1)(A).

1 Although the parties' proposed order on the instant stipulation seeks the Court to "vacate" the
2 preliminary hearing (*see* Doc. 89 at 2), there is nothing in the parties' stipulated representations
3 demonstrating that Defendant waives his right to a preliminary hearing. Accordingly, the Court declines
4 to convert the matter to a "status conference," and instead will order the parties to appear (with
5 witnesses, as necessary) for the preliminary hearing on June 20, 2025.

6 **Conclusion and Order**

7 Accordingly, for good cause shown in the parties' stipulated request (Doc. 89), it is HEREBY
8 ORDERED that the preliminary hearing in this matter set before the undersigned on June 3, 2025, be
9 continued to June 20, 2025, and reset before the duty magistrate judge in Fresno (EPG) at 2:00p.m.
10 IT IS SO ORDERED.

11 Dated: **May 30, 2025**

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14 UNITED STATES MAGISTRATE JUDGE
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